

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA PARRISH,

Plaintiff,

v.

MULE CREEK STATE PRISON,

Defendant.

No. 2:22-cv-2192 CKD P

ORDER

Plaintiff, a state prisoner, has filed a motion for a temporary restraining order and preliminary injunction. Plaintiff also filed a motion for extension of time to file a motion to proceed in forma pauperis. However, plaintiff has not filed a civil complaint. In order to commence an action, plaintiff must file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure, and plaintiff must either pay the required filing fee or file an application requesting leave to proceed in forma pauperis.<sup>1</sup> See 28 U.S.C. §§ 1914(a), 1915(a). The court will not issue any orders granting or denying relief until an action has been properly commenced.

Good cause appearing, IT IS HEREBY ORDERED that:

1. Plaintiff is granted thirty days from the date of service of this order to file a complaint that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure,

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<sup>1</sup> If leave to proceed in forma pauperis is granted, plaintiff will still be required to pay the filing fee, but will be permitted to pay it in installments.

1 and the Local Rules of Practice. The complaint must bear the docket number assigned this case.

2 2. The Clerk of the Court is directed to send plaintiff the court's form for filing a civil  
3 rights action, and the application to proceed in forma pauperis by a prisoner.

4 3. Plaintiff's motion for an extension of time to file a motion to proceed in forma pauperis  
5 (ECF No. 9) is granted; and

6 4. Plaintiff is granted thirty days from the date of this order in which to file a motion to  
7 proceed in forma pauperis.

8 5. Plaintiff's failure to comply with this order will result in a recommendation that this  
9 matter be dismissed.

10 Dated: December 27, 2022



CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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